

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA :

- against - :

CORNELIUS BROWN, :

Defendant. :

-----X

08 CR. 0047 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

The Government (see attached letter) requests the exclusion of time until the next scheduled conference in this matter. The parties are directed to appear before the Court for a conference on March 14, 2008 at 11:00 a.m.

All parties to this action consent to an exclusion of the adjourned time from the Speedy Trial Act until March 14, 2008.

It is hereby ordered that the adjourned time shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv).

SO ORDERED:

Dated: New York, New York
8 February 2008

A handwritten signature in black ink, appearing to read "Victor Marrero", written over a horizontal line.

Victor Marrero
U.S.D.J.

U.S. Department of Justice

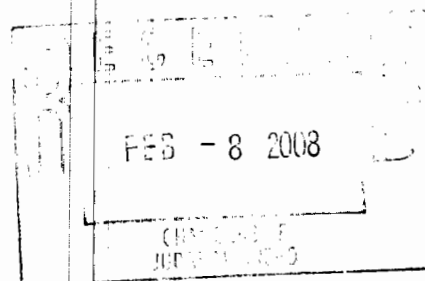


United States Attorney
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February 7, 2008

BY FACSIMILE: 212-805-6382
Honorable Victor Marrero
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: United States v. Cornelius Brown,
08 Cr. 47 (VM)

Dear Judge Marrero:

The Government respectfully submits this letter to request an adjournment of the conference currently scheduled for February 8, 2008, at 11:30 a.m. The Government and the defendant have reached a disposition of the case in principal, but need additional time to finalize the terms of the plea agreement. However, defense counsel, Alan Nelson, Esq., will be engaged in a multi-week, seven-defendant trial starting on Monday, February 11, 2008 before the Honorable Naomi Reice Buchwald. Thus, the parties do not anticipate finalizing a plea agreement for at least another two or three weeks. Accordingly, the parties request that the February 8, 2008 conference be adjourned until late February or early March 2008. In light of defense counsel's trial schedule, defense counsel requests that, if convenient for the Court, the next conference be scheduled for a Friday afternoon after 2:30 p.m.

In addition, the Government respectfully requests that time be excluded for purposes of the Speedy Trial Act from today through and including the date of the next scheduled conference. The Government makes this request in order to provide the parties additional time to engage in further plea discussions. Therefore, the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest of the public and the

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defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8). The Government makes this request with the consent of defense counsel, Alan Nelson, Esq.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: 

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cc: Alan Nelson, Esq.
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(by fax: 516-328-6354)